

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

TERRAPHASE ENGINEERING, INC.,
WILLIAM CARSON, JEFF RAINES, PETER
ZAWISLANSKI, and ANDREW ROMOLO,

No. C 10-04647 JSW

Plaintiffs,

v.

ARCADIS, U.S., INC.,

**ORDER RE APPLICATION FOR
TEMPORARY RESTRAINING
ORDER**

Defendant.

Now before the Court is the motion for a temporary protective order filed by Plaintiffs Terraphase Engineering Inc., William Carson, Jeff Raines, Peter Zawislanski, and Andrew Romolo ("Plaintiffs"). After consideration of the briefs, declarations, arguments and agreement of counsel, and all other matters presented to the Court, the Court GRANTS Plaintiffs' motion for a temporary protective order.

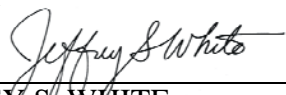
The Court HEREBY ORDERS:

- (1) The law firm of Gordon & Rees LLP shall be disqualified from this case entirely;
- (2) Arcadis Association Counsel Elizabeth Spangler shall be disqualified from the case entirely;
- (3) Aracadis General Counsel Steven J. Niparko shall be removed from all aspects of the day-to-day management of the case, including but not limited to, making any substantive or strategic decisions with regard to the case;

- (4) Arcadis shall retain alternate counsel who shall immediately file a notice of appearance and a declaration that new counsel has received no information about or contained in the inadvertently disclosed privileged information;
- (5) Arcadis shall dismiss the counterclaim without prejudice to re-filing it with new counsel without reference to any of the inadvertently disclosed privileged information;
- (6) The action is stayed pending the retention and appearance of new counsel for Arcadis;
- (7) Plaintiffs' request for its reasonable fees and costs in bringing this motion for relief against Arcadis is granted;
- (8) Plaintiffs shall file an opening brief demonstrating the reasonableness of fees and costs requested by no later than December 23, 2010. Defendant, represented by new counsel, shall file an opposition brief limited to the amount of fees and costs requested by Plaintiffs by no later than December 30, 2010. Plaintiffs shall file a reply brief, if any, by no later than January 6, 2011.
- (10) The Court shall set a hearing on the award of fees and costs, if necessary, by further order.

IT IS SO ORDERED.

Dated: December 17, 2010



JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE